

Notice of Allowability

Application No.

10/085,935

Examiner

Sin J. Lee

Applicant(s)

TAKEDA ET AL.

Art Unit

1752

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 3-9-05.
2. ☒ The allowed claim(s) is/are 1-13, 15-35, 37-39 (renumbered as 1-37).
3. ☒ The drawings filed on 01 March 2002 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

REASONS FOR ALLOWANCE

1. In view of the amendment filed on March 9, 2005, all of previous 102 rejections as addressed in Paragraphs 5-13 and all of previous 103 rejections as addressed in Paragraphs 15-21 of the last Office action dated December 14, 2004 are hereby withdrawn.

2. The following is an examiner's statement of reasons for allowance:

Kodachi et al (JP'188) does not teach or suggest present polymers of claims 1, 5, 6, and 31 any longer because amended claims 1, 5, 6, and 31 now require that *both of R^4 and R^5* have be to the silicon-containing group attached to the silicon atom through a silalkylene linkage (Kodachi's polymer has only one silicon-containing group attached to the silicon atom through a silalkylene linkage).

Saigo (JP'312) does not teach or suggest present polymers of claims 1 and 5 any longer because amended claims 1 and 5 now require that *both of R^4 and R^5* have be to the silicon-containing group attached to the silicon atom through a silalkylene linkage (Saigo's polymer has only one silicon-containing group attached to the silicon atom through a silalkylene linkage).

Kong et al (Polymers for Advanced Technologies) does not teach or suggest present polymers of claims 3-5 any longer because amended claims 3-5 now require that the integer "n" for the formula (2) to be 4 to 10 (for Kong's polymer, "n" is 3).

Neither Chiang et al (Angewandte Makromolekulare Chemie) nor Butler et al (Journal of Polymer Science) teaches or suggests present polymers of claim 17

(applicants deleted Polymer-A and Polymer-B from present claim 17 in their amendment).

Kodachi et al (JP'188) does not teach or suggest present polymer of claim 2 any longer because amended claim 2 now requires that *both of R⁴ and R⁵* have be to the silicon-containing group attached to the silicon atom through a silalkylene linkage (Kodachi's polymer has only one silicon-containing group attached to the silicon atom through a silalkylene linkage).

As previously indicated, Kong et al does not teach or suggest any of the present recurring units ((4)-1)-((4)-10) of claim 16. Also, Kong does not teach or suggest present photoacid generator of claim 19.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sin J. Lee whose telephone number is 571-272-1333. The examiner can normally be reached on Monday-Friday from 9:00 am EST to 5:30 pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Cynthia Kelly, can be reached on 571-272-1526. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

S. Lee

S. Lee
May 24, 2005

Sin J. Lee

SIN LEE
PRIMARY EXAMINER